

Remarks

Claims 1 to 11 and 14 to 22 were rejected under 35 U.S.C. 103(a) as unpatentable over Anderson (US 4,036,749). The Examiner states, "Anderson discloses a process of treating saline water, including sea water (column 3, lines 12-29), ..." Applicant does not agree and believes that the Examiner may have mis-read the portion of Anderson that she relies upon. The portion of Anderson relied upon by the Examiner (column 3, lines 12 to 29) states:

"Referring now to **FIG. 1**, there is illustrated a flow diagram of a desalinization process utilizing the pre-treatment method of this invention. In this application, the raw saline water enters the process at line **10**. This water can be agricultural drain water, brackish water and the like, which generally has a dissolved salts content no greater than about 10,000 ppm. Waters which have greater salt contents and, in particular, sea water, which also has a disproportionally high magnesium content, can not be readily treated by this process because of high solubility activities and tendency of magnesium to complex calcium which greatly increase the solubility of calcium. It is also desirable that the sulfate content of the water be less than about 2500 ppm and, most preferably, less than about 1500 ppm to avoid excessive precipitation of calcium sulfate in the treated reject brine of the process."

Anderson clearly states that "sea water ... can not be readily treated by this [his] process." Thus, Anderson teaches against Applicant's invention. Applicant's invention cannot be obvious when the principal reference cited by the Examiner teaches against it.

All of Applicant's claims are limited to the treatment of sea water. In paragraph [0012], lines 14 and 15, Applicant states, "Thus, the average ocean salinity is approximately 35 parts per thousand." Thirty-five parts per thousand is 35,000 parts per million (ppm), which is 3½ times the maximum salinity of 10,000 ppm that Anderson

says will work in his invention.

One of the reasons why Anderson's invention will not work with sea water may be that Anderson adds magnesium hydroxide to precipitate calcium. See column 3, lines 33 to 38. This may be why Anderson states that sea water "has a disproportionally high magnesium content, can not be readily treated by this process because of high solubility activities and tendency of magnesium to complex calcium which greatly increase the solubility of calcium." Applicant avoids that problem by not adding magnesium, but instead adding "a compound selected from the group consisting of sodium hydroxide, sodium carbonate, potassium hydroxide, potassium carbonate, calcium hydroxide, calcium carbonate, aluminum hydroxide, aluminum sulfate, aluminum potassium sulfate, and mixtures thereof." Applicant's invention solves the problem that Anderson's invention has in treating sea water, and solves it in a way that the cited references do not teach.

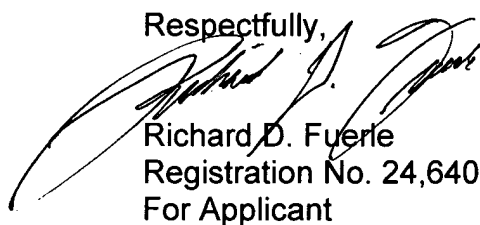
Claims 15 to 22 were rejected under 35 U.S.C. 103(a) as unpatentable over Anderson further in view of Al-Samadi. Anderson has been briefly discussed hereinabove and was extensively discussed in Applicant's previous amendment, where Al-Samadi was briefly discussed. Applicant will not repeat all of that material here, but the Examiner is respectfully requested to re-consider it.

Claims 1 to 11 were rejected under 35 U.S.C. 103(a) as unpatentable over Hsing and Anderson. Hsing was also briefly discussed in Applicant's previous amendment, and the Examiner is respectfully requested to re-consider the remarks Applicant made

in that amendment.

All of the claims are now believed to be allowable over the references cited and reconsideration and allowance of all of the claims are therefore requested. Should the Examiner still have objections to the application that need to be corrected, she is invited to call Applicant's attorney at (716) 774-0091 to resolve any remaining problems.

Respectfully,



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March 2, 2006  
CASE MH01